

## NEWINGTON TOWN PLAN AND ZONING COMMISSION

August 10, 2011

### Regular Meeting

Chairman Pruett called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:15 p.m. in the Community Center Gymnasium at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

#### **I. ROLL CALL**

##### Commissioners Present

Commissioner Anest  
Commissioner Hall  
Commissioner Lenares  
Commissioner Pane  
Chairman Pruett  
Commissioner Schatz  
Commissioner Aieta  
Commissioner Turco

##### Commissioners Absent

Commissioner Camerota

##### Staff Present

Ed Meehan, Town Planner

Commissioner Aieta was seated for Commissioner Camerota.

#### **II. PUBLIC HEARINGS**

- A. PETITION 23-11 – 388 Stamm Road, Rizzo Albert, Jr. Family LP owner, Artex Signs 27 Britton Drive Bloomfield, CT 06002 applicant, attention Anita Gold, request for Special Exception Ground Sign Section 6.2.4, Industrial Zone District.**

Lauren Brozo: The company is Artifex, 27 Britton Drive in Bloomfield, Connecticut. This is a double sided ground sign, currently there is not a business sign for identification on the property. The linear frontage of the building is 49 feet, the sign is 21 ½ square feet per side. The location for the sign is behind the property line. We feel that the sign is in harmony with the building, it's the Rizzo logo, it's been their logo for years, and there is going to be a couple of stone bottoms which will be nice. There was a question about the curb, the property owner has added a curb to the island.

Ed Meehan: The total sign complies with the design standards of the Zoning Regulations, the size and height, my one comment from staff is the location in the south corner of the property, from the photo, it looks like it would be on existing pavement, as you pull into the driveway, so before the sign is placed in the location, I'd like the opportunity to work with the applicant if this is approved to make sure that the signage is behind the property line and its location allows access into the driveway.

Chairman Pruett: Is that acceptable to you?

Lauren Brozo: Yes, I don't know if Mr. Meehan has this rendering, we certainly will work with him.

Chairman Pruet: Very good. Commissioner comments on this petition? Seeing none, it is a public hearing, any one from the public wishing to speak for this petition? Anyone wishing to speak against this petition?

Audience: Can't hear. Turn the speakers.

Chairman Pruet: Okay, what is the pleasure of the Commission on this? Move this forward to Old Business?

Commissioner Anest moved to move Petition 23-11 to Old Business. The motion was seconded by Commissioner Schatz. The vote was unanimously in favor of the motion, with seven voting YES.

**B. PETITION 24-11 – 1300 Main Street, Liberty Bank, Newington Professional Center LLC owner, National Sign Corporation 780 Four Rod Road Berlin, CT 06037 attention Darcy Roy applicant, request for Special Exception Ground Sign Section 6.2.4, B-BT Zone District.**

Darcy Roy, Wallingford, CT: I'm here tonight on behalf of Liberty Bank represented by National Sign for 1300 Main Street. (Inaudible) The height of the sign is (inaudible) The sign is to be halo lit, the lights will shine through the letters from the lights in the back, it's very soft lighting, we are aware that we are in a residential area. The same for the wall sign, they are all lit the same.

Chairman Pruet: Ed, anything?

Ed Meehan: My staff report was shared with the applicant earlier in the day, and the standard as far as the square footage and height for the sign, this sign is in the Village District, it's in the design area, and Planning and Zoning should take a look at this as far as the architecture of the sign, for the compatibility of the town center design guidelines and seeing that this is a regulation this should be a colonial design, so the sign is being placed on a brick base which will be landscaped, and as the applicant said, internally lit. I would recommend that the Commission take a close look at the brightness of this sign and maybe reserve judgment after display to require the bank to turn the intensity down in this area on the wall sign and the in ground sign because of the neighbors in this vicinity. Thank you.

Chairman Pruet: Commissioner comments or concerns on this petition?

Commissioner Aieta: Is there a design close to Newington where we can how it is internally lit.

Darcy Roy: I have some pictures....

Chairman Pruet: Any further questions from the Commission? Hearing none, this is a public hearing, and anyone wishing to speak for this petition, come forward? Anyone wishing to speak against this petition?

James Welch, 1297 Main Street: I just wanted to add to what Ed said, about reducing the brightness. My property is right across the street, and that is my concern, I agree one hundred percent, to make sure of the brightness.

Ralph Testa, 82 Willard Avenue: The problem we have with signs, sometimes the lights are not, I don't know what kind of internal lighting we plan to have , but if it's only lit halfway, half the time, it's going to be an eyesore and difficult to maintain. So, I want to bring that out, to maintain it, very expensive signs and they expect to have (inaudible.)

Chairman Pruett: Thank you. Any other comments?

Lee Bradley, 24 East Cedar Street: I just want you to know that the audience cannot hear the speakers. (Applause, inaudible.)

Darcy Roy: (Totally inaudible.)

Chairman Pruett: Could you repeat that, speak a little louder, we'll try that again.

Darcy Roy: The whole thing? (inaudible) These signs are probably the least bright for the signs. The light is the back wall, shining out, and (inaudible.)

Chairman Pruett: Thank you. Any comments from the Commissioners?

Commissioner Anest: How long, what are the hours that these signs going to be lit? It is going to be 24/7?

Darcy Roy: I don't know.

Chairman Pruett: Ed, do you have any comments?

Ed Meehan: No.

Chairman Pruett: Okay, what is the consensus of the Commission? Okay, we are going to continue this until the next meeting. Thank you.

**C. PETITION 26-11 – 2011 Waterfall Festival Event – Constitution Square  
Municipal Parking Lot, September 23 and 24 (rain date 10-1 and 10-2011)  
request for Special Exception Section 3.2.8 B-BT Zone District.**

Val Ginn: I'm going to speak slowly and clearly I hope. (Inaudible.) We would like to have a carnival on Friday from 5:00 to 9:00 p.m. and Saturday from 10:00 to 5:00, (inaudible.)

LeeAnn Manke: (Totally inaudible)

Ed Meehan: I think for the record, if you could submit that tonight, so I could make a copy for you, so we would have a layout and we can coordinate that with the town building official for submission.

Lee Ann Manke: What I have, there could be changes because of the electrical on Market Square (inaudible.) There may be some changes, the fire lane will not change, (inaudible.) (Presenting plans to Commission members, no comments audible.)

Chairman Pruett: Any Commissioners have comments on this? Ed, any comments?

Ed Meehan: The next step with this application is to work with the Waterfall Festival Team and resolve the layouts of the parking lot. This is the first time they have used the parking lot so we should sit down together with the town officials and make sure that the electrical and

the fire lanes are adequate and then the next step according to the Town ordinance is to provide the Town Manager's office with the insurance certificate for the Waterfall Festival as they have done in the past, so I would recommend that you (inaudible) and then we will work at staff level to help the committee.

Chairman Pruet: Commissioner comments on this Petition? Okay, this is a public hearing, anyone from the public wishing to speak for this petition? Anyone wishing to speak against this petition? Is it the consensus of the Commission to move this to Old Business. I'll entertain a motion for that.

Commissioner Schatz moved to move Petition 26-11 to Old Business, seconded by Commissioner Hall. The vote was unanimously in favor of the motion with seven voting YES.

Chairman Pruet: We are going to try to make an adjustment on the speakers, so it will take just a minute.

Before we begin the next two petitions, I would like to state that the Commissioners take their position very seriously. We listen to your comments, we welcome new ideas and your participation. We have heard your passions and we understand them.

**D. Petition 12-11 – Toll Brothers, 53 Church Hill Road Newtown, CT 06460 applicant, Balf Company owner request approval for open space subdivision development, 71 lots single family homes, 73.7 acres for property north of Old Highway and west of Russell Road, Assessor's Map Block Lot No. 11/329/000, R-20 Residential Zone District. Continued from July 27, 2011.**

**E. Petition 13-11 – Toll Brothers, 53 Church Hill Road Newtown, CT 06460 applicant, Balf Company owner request for Special Permit Section 6.8 Zoning Regulations for open space subdivision, 71 lots single family homes 73.7 acres for property north of Old Highway and west of Russell Road, Assessor's Map Block Lot No. 11/329/000 R-20 Residential Zone District. Continued from July 27, 2011.**

Chairman Pruet: Would the petitioner come forward, state your name and address for the record.

Tom Regan: Good evening, for the record, my name is Tom Regan, I'm an attorney with the law firm of Brown, Rudnik, LLP, City Place One, Hartford, Connecticut, here on behalf of the applicant, Toll Brothers.....

Audience: Slower, louder, can't hear you.

Tom Regan: As Commissioner Pane has read, we are here for two applications tonight, the first is an open space subdivision, the second is a special permit under Section 6.8. While the original application was for 71 lots, over time with our revisions from town staff's comments, we are now down to sixty-four lots. We have actually increased the open space on the project to forty-four of the seventy-three acres. Tonight, within the public hearing, we are going to do three things, Ray Gradwell is going to present our responses to the Town Planner's comments and supplemental comments, we are also going to do a revised traffic presentation, and we also are going to do a geotech presentation, to talk about blasting, so with that, I'll turn it over to Ray.

Ray Gradwell: Thank you Tom. Once again, my name is Ray Gradwell, project manager with BL Companies, in Meriden, Connecticut, and a professional engineer in the State of Connecticut. I'd just like to briefly talk about this. At the last meeting, in response to the town's comments, we had the opportunity to prepare a letter which was distributed to the town yesterday, and hope that all of the Commission members have that letter tonight. I just want to go through the highlights of the Plan changes. I know that the Commission has already seen these changes and the public has seen these changes at the last meeting, but I just want to go through those changes one more time before I have Fred Greenburg, from BL Companies and Ulrich LaFosse from Geodesign about the different blasting situations. Some of the comments had to do with the amount of homes on the property, revised the property to sixty-four lots from seventy-one as was originally submitted. We also revised the street from 30 feet to 28 feet, reducing the impervious coverage on the project site. As part of our response to staff's comments, was to provide pictures of an MDC booster pump station that would be representative of what would be constructed on this project site in the northeast corner of Russell Road. We provided that, as part of the documents, it's up there for reference, in the response to comments. Another response to comments was public access to the trail system, as part of the response, shows a sketch that shows parking areas at the end of each cul-de-sac adjacent to Old Highway. There's four parking spaces in each parking area which will provide public access via the trail system to Old Highway that will connect to the network of trails. Some of the other highlights of the response to comments was adding an area identified by the plan of fifteen percent slopes, we added those. Other items added were street names, we added street names to the public roads, we added to the amount of total space dedicated to the Town of Newington to the plans, and added the record from MDC with regards to the water source to the project site, we added information on traffic. At this moment, I'd like to have Fred Greenburg briefly explain the traffic summary, the traffic report for the record and actually the memorandum amending that report was added to the respond comments. So at this moment I'd like to give Fred Greenburg a couple of minutes to discuss traffic. Thanks.

Fred Greenburg: Thanks, Ray. For the record, my name is Fred Greenburg, I'm a traffic engineer with BL Company here in Connecticut and I'm a civil engineer in the state. We submitted a traffic study, and Ray submitted an addendum tonight. This was a study for seventy lots, and the addendum changed to 64. There really wasn't too much different between the two, the sixty-four is for the record. It's kind of an unusual situation in terms of a development. Russell Road as you may know is a state maintained facility, it's a dead end street, on the Newington town line, and while the site is actually Newington, the access is really in the Town of Wethersfield. The driveway to the site is about 325 feet north of Arrow Road, just at the crest of the hill on Russell Road, excellent sight distance to and from the intersection in both directions. Russell Road is a state maintained facility and currently carries 2200 vehicles a day. It serves The Crossing development, Special Revenue Building, Flexfact and the remains of Cedarcrest Hospital north of Arrow Road, and the Humane Society and stone supply operator south of Arrow Road. We estimate the development will generate between 55 and 72 trips in the morning peak hour and the afternoon peak and about 690 trips daily. We believe the traffic during peak periods will use Arrow Road to reach the regional networks, by the traffic signal and that is based upon our review at the intersection of Russell Road and Arrow Road, of course, north of Arrow is a dead end street. The town, Ed, has questioned the traffic distribution, I've given traffic volumes generated. There's really not much of an impact depending on where you (inaudible.) The only area of concern should be at Route 175 Cedar Street, Route 15, Russell Road intersection. The location there carries a very very high volume of traffic, peak hour volumes in the morning at this intersection are about 2700 vehicles, peak hour volume in the afternoon about 3000 vehicles and as you know, there are long backups on Route 15, the off ramp trying to get onto Route 175. The off ramps carries about twenty-five percent of the traffic through that

intersection (inaudible) for the last few years. The development on East Cedar Street which was approved by both the town and the State Traffic Commission added about 100 peak hour a.m. trips and 230 afternoon peak hour trips. They were required to make some improvements to Route 15, that intersection under the State Traffic application. We estimate peak hour trips in that location, some of the trips on Route 15. If we double the distribution, I'm assuming twenty percent to forty percent we might have 14 additional trips at that intersection. That's on top of about 3,000 trips, so the impact of Newington Ridge is not really registered, but the intersection, obviously functions very poorly. I'd be happy to answer any questions that you have now, or at the end.

Chairman Pruet: Ed, comments?

Ed Meehan: The points on the staff report that Mr. Greenburg has addressed was the twenty percent of the trips are going to come back, toward the town center, down East Cedar Street. He is citing that is based on the use of traffic. I understand his argument that the trip generation is low, even if it was forty percent, given the volume at that intersection now, it's a very low fraction of the total trips through that intersection, which everybody knows is a failing intersection, in traffic jargon, it's an F, so I believe that if you have single family homes up there, residents are going to come back to Newington for town services, schools, community events, whatever, so whether it is twenty or forty percent, I understand the trip generation is low, but to make the intersection work, I believe the project at the Lowe Manufacturing site was required to dedicate land from their development to create a free flow right turn movement to eliminate the stop sign. If I am correct, how do you plan to achieve that, to make those improvements without the involvement of Hunter or, do you have to go back to the State Traffic Commission and get that revised.

Fred Greenburg: Well, at this point, if Hunter goes ahead and makes the improvements, as determined, you can't make (inaudible) so at this point it's up in the air to us. We have a plan that shows improvement at that intersection that Hunter has to (inaudible) and supposedly Hunter (inaudible)

Inaudible: Good evening Mr. Chair, Member of the Commission, my name is (inaudible), Principal owner of BL Companies. The plan that you are looking at, that is on the board, this plan is the component of what was approved previously for Hunter Development. The reason why the corner radii turning onto the state road was encroaching on the right of way into the land because widening and increasing improvements along the north side along Frisbee's land because you eventually are coming up to a light that has turning lanes and indicators, so you kind of get the feel for what happens, when you get off of Route 15, to make the left and you are coming under the bridge, what you are seeing is that you are (inaudible) obviously at certain times of the day for example, I left the island up being that it captures and prevents people from being (inaudible) and breaking the law which would be going through when they should go right, because there are two lanes, so if somebody wanted to get into that right lane, which is only supposed to go left, they could go through. When you put this channelized island in there it prevents people from being able to do that, they would only be able to take a left, so what that does and what that really improves is that people coming down the side streets can make a free way generalized right turn onto Route 175 so that they are not affected by any cars coming through anymore and therefore that opens up and helps the operation of that entire bridge backup that occurs at the (inaudible) because you are no longer stuck in that queue. I'm going to point this out on the screen. Okay, so if you got off the highway today, and took a left, when you are coming over the bridge, the road splits into two lanes, at this point you are supposed to only make a right turn on the inside lane, and this is the through lane. Everyone following me? Okay. So by building (inaudible) in here, so respectfully I just want to show if the island went in, the people who are supposed to make a

right turn obviously physically can't come through. And what the beauty of that does is now it allows the opportunity for us to reshape this island, create a better movement from the ramp so when you get to this location, you're able to make a free flow channelized island into the lane, that today's drivers, you can't do it, because people are using this as a through, so that movement here, suspended by the island here causes a much better movement through here, so this improvement along with the signal that is going to occur further up at the high point which is where the improvements were, but based on the (inaudible) because they had to widen for the turning lane, and therefore when the radius went in, it was (inaudible) so what we are here to say is that if the bridge project doesn't go through, we still have to go through the DOT and they may very well say, as the Chair as said, and other here, that if those improvements don't go through by a certain time, or whatever, we likely would have to put that in. It's all state roads, so they have obviously a lot to say. So, that's just describing the improvement that we would present, we have a map to submit, this evening, we wanted to get this on the record, Mr. Chairman. Thank you.

Chairman Pruet: We are not going to take public questions right now. You will have plenty of opportunity.

Ed, we are going to accept the traffic report for now, do you have any impressions on the traffic?

Ed Meehan: No, I think that is the major question, is the geometric changes if possible, the improvements to that intersection that would accommodate this proposed project and improve the existing level of service. That being said, they are both state owned, this is really under the purview of the Department of Transportation, so they should submit the map to the Commission, and I would recommend that the Commission members look at this over the next couple of weeks and (inaudible) the report that was submitted tonight.

Chairman Pruet: Thank you. Sir, just a clarification on impact, you will be going forward with making improvements if (inaudible) of Hunter Development, is that correct?

BL Industries spokesperson: Yeah, but it would be subject to the DOT agreeing with that as a condition, so.....

Chairman Pruet: Commissioner comments on traffic? Okay, We will have the public ask questions when we are finished with the presentation.

Ray Gradwell: I would like to elaborate on some of the things that we have done in the past couple of weeks with regards to our application. The Town of Wethersfield, we met with the Town of Newington on Monday and followed that up with the Town of Wethersfield to be sure that their concerns are actually addressed. We believe that they are actively addressed. Both Peter Gillespie, the Town Planner and the Fire Marshal, they both were satisfied with the concerns that they have had with the corrections that were made. We also had a chance to meet with Mr. Meehan and Anthony Ferraro, the town engineer, and I believe that they both had further comments in regards to the plans. At this moment I would like to turn this over to Ulrich LaFosse from Geodesign to discuss the geotechnical aspects of the site relative to access to the site, and conditions on the site in regard to geotechnical conditions.

Ulrich LaFosse: Good evening Members of the Commission, I am Ulrich LaFosse, co-founder and principal owner of Geodesign, which is also Geotechnical and I'm also a professional in blasting and development. Quite briefly we have two things, one, we've done some technical testing and (inaudible) bedrock in the development, (inaudible). It is a balanced site, so there will be some cutting and the way to remove the bedrock is to drill it and blast it, before it becomes (inaudible.) There is also another way, it's called (inaudible.) I

understand many of you are here are asensitized to blasting by virtue of the nearby Balf Quarry. Construction blasting is different than quarry blasting although there are some similarities, and the term, control blasting will be the process that (inaudible) Control blasting is concerned primarily about, as the title says, control. Making sure that the blasting is performed from beginning to end in a way that does not cause damage to neighboring properties, neighboring (inaudible), traffic flow, as well as extending (inaudible.) So, what control blasting is starting off with a pre-construction survey and that is done within 200, 300 feet of the blasting. (inaudible) and that document, the pre-blast survey becomes a part of the town, (inaudible) checking of any changes to the property from the current to the state of blasting during and after (inaudible.) In some cases, the post blast survey will also be conducted which provides the other end of the spectrum after construction has been concluded. That will be done. The test part of the blasting, the plan that requires notification of abutters, some of the normal turnpike circulation, via normal channels, TV, town hall, public access, etc., so they would have warning. The plan requires that the blaster, the sub-contractor be licensed, licensed by the State, requires that a blasting permit be issued, the blasting permit is issued by the Fire Marshal, they would check the license, and the process, and the technical part of the plan is the control plan, and controls are really, but in a nutshell, it concerns the preparing of how (inaudible), what kind of materials are used, the (inaudible), the sequence, etc., etc., as well as (inaudible) often times pressure as well as vibration. Vibrations are measured by velocity and this is to be sure that off site vibrations are truly (inaudible) and do not cause damage. In addition to that, when the test blast potentially allows confirmation that the blast (inaudible) yields vibrations and other parameters, and what is done is the early part of blasting, the test plan, which is called the production (inaudible), you would first so that the confirmation of parameters to make sure that the blasting is performing within the proper parameters, and you are not, the neighbors for example are not caused damage. Once that plan is tested, by a blasting expert, then production begins. Now blasting also, every single blast, measuring vibrations, is measured on a seismograph, which are instruments that measure the frequency, the pressure, and the velocity of the blast, and that, every single time, that information is provided by the blasting contractor, to blasting control and then every day, multiple times a day, it's checked. The last thing I want to mention is the blasting potentially done potentially (inaudible), multiple times a day for a relatively short time. If you are (inaudible) I would be happy to answer any questions, thank you very much.

Chairman Pruet: We're going to keep on, and answer questions on the blasting at the end of the presentation.

Ray Gradwell: Thanks Mr. Chairman, Ray Gradwell, BL Companies, Meriden, Connecticut. I don't have much, further information presented, we submitted the response to comments to the Commission, I'd like to have Attorney Regan conclude our presentation tonight.

Tom Regan: I think that with this additional information presented tonight at this point, any addition requests by the Commissioners or questions (inaudible.) Thank you.

Chairman Pruet: Before I turn this over to staff, and open this to questions, the blasting, seeing that Balf Quarry is in your back yard, any type of construction we had for the foundation of the houses to fortify that for future blasting from Balf Quarry?

BL Industries: Typically blasting control has been done, and it is completely typical to try to protect future activity resulting in vibrations causing damage.

Chairman Pruet: So that means during construction you will fortify that?



BL Industries: It would typically be the control aspect to protect the foundations.

Chairman Pruet: The other question that I had is that one of the Commissioners asked before, if the site plan was R-20 specifications, how many houses would there be, and also, with the amount of houses, was there consideration for the fifteen percent slopes and the roadways, considered with your final figure?

Ray Gradwell: Thank you Mr. Chairman. We've done a concept plan, for an R-20 as opposed to an open space subdivision, we would get between fifty-five and sixty-five lots with that type of a subdivision, we haven't worked out the details of an R-20 because we aren't here presenting an R-20 subdivision, but fifty-five to sixty-five lots would be acceptable. We have taken into account slopes, wetlands, on site. Thank you.

Chairman Pruet: Okay, I'll turn it over to staff for questions.

Ed Meehan: I don't really have questions but I have more comments. The Town Engineer and I, Tony Ferraro and myself along with BL and Toll Brother representatives met on Monday and we had a thorough review of our staff comments to date. There is still one area of the proposed subdivision that we want to look at further, being in the field and actually walking this area. It's in the vicinity of proposed lots 28, 29, and 30 at the end of the cul-de-sac, called Trap Rock Way. Based on our information on the slope, there are some steeper slopes in that area, there was an adjustment made to try to work around this whole area, and I think we want to reserve our recommendations to the Commission to look at that further. Thank you.

Chairman Pruet: Commissioner comments, questions?

Commissioner Schatz: I would like to ask the gentleman here, how many (inaudible) do you expect to blast? Any idea?

Ray Gradwell: We haven't determined.

Commissioner Schatz: So the next question that I would have, so you don't know how many you are going to blast, I would like to know how much of the blasting and material is going to be kept on the property, or taken away. How many of truck loads are going to be taken out of there?

Ray Gradwell: For the record, Ray Gradwell, BL Industries. The site is actually a balanced site, so we are going to reuse material not excavating it off, manufacture it, recycle it and use it in fills on the site, so actually the material that we haul will be very, very minimal. So we are balancing the site, cuts to fills, all within the site. Does that answer the question?

Commissioner Schatz: Not really, what I'd like to see (Audience applause, inaudible.) approximately how many foundations you are going to blast. What, how many yards, rocks, coming out of there and how many ten wheelers are going to roll out of there and....

BL Industries speaker: Maybe I can clarify that. The number of foundations or the volume of rock that we will be excavating, the intention is to what we call balance the site. By that we mean that the material that we need, fill material, that volume of material will come from on-site cuts so you will cut in one spot for the foundation, and then that material will be recycled and used on-site as fill. Now, not every single yard, but the bulk, the idea is to keep it within, and a lot of times you are unable to balance. This site, and any site today, have economical

impacts. The larger number of excavations, the intention is to reuse that material on site versus trucking it off-site and bringing back more material.

Ray Gradwell: I think the example of cut and fill that I put on the screen here, this is a graphic representation of the volume of material moved within the project site. The blue is identified as fill areas, the red is cutting. As you can see, the areas are similar and the grade of the site, up and down, to minimize cuts and fills on the project site. We are trying for a balance on the site. We want to minimize the amount of material that we have to process on the site and reuse on the site. We want to utilize, making sure it doesn't leave the site. It costs money to leave that site, so we graded the site essentially to have a balanced site. The cuts within the fill areas of the sites, cuts in ponds, cuts in homes, we're going to use those to fill in roads, in the roads, in the roads, and along the backs of the houses. So essentially we have created a balanced site to minimize the excavation and the amount of truck traffic on the local roads.

Chairman Pruet: Commissioner comments?

Commissioner Anest: I have a comment regarding the traffic. When you did this, did you take into consideration if Cedarcrest was ever going to be used by the state again as a facility? Did you take that into consideration?

Fred Greenburg: No, we did not. At this point it would be speculation and very frankly, the government's record of reusing old hospitals is pretty abysmal.

Commissioner Anest: I would like to see something taking into consideration what the state office building, the reuse of that, because that would impact a.m. and p.m. and that is going to impact people trying to access Route 175.

Fred Greenburg: We can do that.

Chairman Pruet: Further comments from the Commission. Staff is all set? At this time persons who wish to speak against this petition, please come forward.

Michael J. Fox, 1901 Main Street: For one thing, Mr. Schatz stole some of my thunder tonight because I was going to ask some questions about blasting. My question is, number one, are they going to be having a rock crushing operation on the site and wouldn't that equipment need some approval from this Commission, and they still didn't say how much rock they are going to take out of there or if they are going to cut off the top of the mountain. One of the reasons that previously denied a development was because they had a rock removal project. As far as traffic safety is concerned, I don't put much faith in them. The other thing that I wanted to talk about, was and this comes from, about 6:15, I don't know if anyone saw, a segment a reporter was standing at the beginning of the old road going up to the tower, and you could see how beautiful the landscape was, but what I would like to know is when they start, as you know, they have the R-20 zone there, and they could take the site as approved and they could put up those houses if they want to. They can do it, and the only way we can stop that really, is to buy it, that remains in the future. But anyway, my question is, are they going to build that whole mountain, those seventy acres, and whatever you need to get to them, because we don't know, and before they start blasting they have to trim and cut or are they going to be able to (inaudible).

Stanley Sobieski, 26 Deepwood Drive: The traffic, I gave you the numbers last meeting, why do we need Toll Brothers building houses up there plus a gas station and a hotel, they're on the corner, and the Marcap development causing more traffic. As Ed Meehan said, the DOT

said that intersection in town, no matter what they do to improve it, they aren't going to get it done. That plan they have up there, if that's all they needed a bigger radii to make that turn, they would have done that. That intersection going through there is not going to work. (Inaudible) up to Russell Road and Russell Road, and Russell Road, if I'm not mistaken is a 28 foot access road, so (inaudible.) (Audience applause, inaudible.)

Ralph Testa, 82 Willard Avenue: My wife is conceding her three minutes to me. Couple of things, the reprocessing of the rock, you said you were going to remanufacture this stuff, are you going to reprocess it on the site? Then we have to build sewers six feet below grade and running to the pumping station. You talk about frequency, what is the frequency of the residents, you don't even know the frequency of the residents using Route 175. (Inaudible) If you go onto the internet and search detention or retention you will find 985,000 pages of information on deaths in remission ponds, from children from the age of 23 months to adults up to 69 years old. We have a four year old in Texas, we have a mother who was found guilty of a child drowning in Florida, we have one in Wisconsin where a young boy fell in, and a seventeen year old who drowned, I don't care how many fences you put up, you have a forest there, I walked that forest, it's about twenty-five feet long, two kids can prop it up walk up that fence, and if you have a detention pond there, this past Saturday night and Sunday we had a rain storm. Detention ponds generally fill up in three hours, and three days of rain. Within three days of the storm Saturday night and the storm last night and today, but the detention ponds would be attractive on the hot days like this when children want to cool off so I think there is a problem with remediation. We can't remediate a detention pond. Put a drain over it, a drain would be very nice, except the drain has to be removed so the detention pond can be maintained. If detention ponds aren't maintained, they are useless. They become worse than useless, they become clogged up they don't work. It takes three hours to fill the pond, it needs to be serviced regularly, it has to be part of the homeowners association to be responsible to clean the pond. So there are a lot of problems with the detention pond, there are a lot of problems with the traffic, right now coming up Welles Road, coming under the Berlin Turnpike, the traffic light, two lanes, then the traffic light, one lane and a right turn lane, if you are in the wrong lane, and there is an island and you want to turn, to the left lane, the sixty accidents we had will increase to six thousand. Nobody is going to drive into that island to avoid an accident, they are just going to pull over into the right traffic lane.

Chairman Pruet: Time is up.

Ralph Testa: I have six minutes, don't worry about it. My wife gave me her three minutes. What's the problem, give me a break.....Anyway, the traffic problem, the frequency of residents (inaudible) problem, and the possibility of the town being sued, Ohio was sued, Oklahoma, Illinois, Wisconsin, not only were the home owners association sued, but the town was. Thank you.

Dean Pallotti, 28 Concord Ct., Wethersfield: Mine will be short and sweet, the citizens and taxpayers of Newington and everybody in Wethersfield as well has stated and made it crystal clear over the past month numerous times, I don't even know why we are here at this point in time. If you are truly public servants and do the job for these folks sitting before you tonight, open your ears, pay attention, and do the right thing.

Gary Bolles, 28 Burdon Lane, Newington: Good evening to the Commission, ladies and gentlemen of the public, Gary Bolles, lifelong Newington resident and taxpayer. I wish to speak in opposition to Petitions 11 and 13 concerning the development of 64 single family homes on Cedar Mountain. Everyone here should be aware of not only the blasting damage done to accommodate the development, of the removal of tons and tons of rock from this site. Truckloads will be coming out of the site and travel down Russell Road and perhaps Cedar

Street, unless they have some kind of an air train. When you have truckloads traveling over our town streets, what happens to the street infrastructure? Who pays to fix our roadways? Not the developer, but our tax dollars paid by our tax payers. That stinks. Another concern is the (inaudible) of wetlands. I have never heard of anybody that has moved wetlands. Once wetlands always wetlands. All we have to do is check with the Army Corps of Civil Engineers, New England Regional Division, 626 Virginia Road, Concord Massachusetts to apply for a nation wide permit which are not easily (inaudible.) I implore the developer to call at 1-800-343-4789. Respectfully to the developer of Cedar Mountain and I say, no, no, no.

Cele Deschler, 65 Constance Leigh Drive, Newington: My comments will be brief. As I indicated a bald eagle lives in the vicinity, Save Cedar Mountain. We do not want (inaudible) The pristine beauty of this land must be preserved and protected so future generations may enjoy what so many of us in the past have been privileged to in the past. Please keep this mountain for future generations. Say no to Toll Brothers Construction plan. What an awesome place nature has given Newington. Please preserve it.

Holly Harlow, 11 Edmund Street, Newington: Over the course of these public hearings many issues have come up, meeting after meeting and I hope that the Commission understands that there is nothing that we take for granted and there are things that deserve to be challenged. Number one, the use of the dry detention pond in the context of this property. Will construction be designed and constructed by experts in the field, sensitive to the environmental issues of Cedar Mountain, will it conform to the design standards of the topography of the location, how big is the construction, what do they look like, what are they (inaudible). Historically houses in Newington may change and any other detention, retention ponds in town, with vigilance or haphazardous and will this be (inaudible) to maintaining this structure? I understand that there is a pond over near Elizabeth Green and over by FoodMart that (inaudible) maintenance problems. Also, according to the revised site plan, one of those detention ponds appears to be at least inside the buffer around that large wetland and it looks like it may even be in the wetland itself. Will that structure be (inaudible) and how will that affect the wetlands. Will that structure be approved by an expert dedicated to the protection of the natural habitat, and not just by an engineer serving as a construction blind. These are two things that the Conservation Commission will probably hear, but since that area that should be dedicated open space, I think it should be within this Commission as well. I have an information sheet here with me today which is put out by the Stormwater Management Center that indicates dry detention ponds are not effective as flood control and (inaudible) control. The two major issues. So to satisfy one need, others are sacrificed and neither can be, and that same fact sheet also indicates that detention ponds can actually be capped, and devalue the property by as much as ten percent. My second comment is about the clear cutting that will happen on the site. Connecticut taxes are on municipalities to limit their cutting. Newington sub-division regulations call for the preservation of as many existing trees as feasible. It doesn't say economically feasible, it just says feasible. Commenting about the blasting, I also have with me tonight, a have a copy of the minutes of the Wethersfield Town Council meeting called in 2004 concerning blasting for a road project. In that report, the Fire Chief is on record as saying that (inaudible) He also implied that the blasting for the Colonel Chester Street, he states that blasting of the (inaudible) rock was caused by (inaudible) in all directions. He actually passed on his responsibilities to issue the blasting permit because he couldn't in good conscience, issue one unless he was one hundred percent sure that there would be no damage to the surrounding properties, and I do have a question about the blasting and the wetlands. I'd like to know if the gentleman from Geotech is prepared to state on the record that the blasting that is going to take place very close to the, with not cause destruction around the wetlands. Thank you.

Howard Whitford, 49 Cheney Lane, Newington: Mr. Chair, Members of the Board, I grew up in town, and I'm sorry to see someone who wants to change the topography of Cedar Mountain. (Inaudible.) Now how about the wetlands. Are they going to be preserved? How does one move a wetland? Think you are going to pick it up and move it to another place? Who are they trying to kid? (Inaudible) Why they had to get an engineer to confirm that there is a wetland up there I'll never know because (inaudible.)

Robin McFee: Actually I live a couple of places in Newington, so we'll just let that go right now. I just want to say I've live here all of my life and I have four questions and two statements. First question, when the blasting occurs are there (inaudible) to prevent fumes and will it affect our area? Carbon monoxide, toxic fumes, we might as well be dead if we are going to breathe that in for fifty-five lots. Question two, what is the projection of the number of accidents, increased ambulance service, increased PD coverage for that area? Question three is there going to be a bottleneck of traffic going west because we do that if we have just one lane, coming from Wethersfield, (inaudible) Question number four, They said they were going to do a test blast, to confirm that they are meeting expectations, by the nature of using a test blast, they don't know. So the test blast, if the expectations haven't been exceeded already. By the representation of people here tonight, we don't have a high school population here, we don't have (inaudible) people here, we have a cross section of representation of Newington. We have all ages here tonight and a lot of more of elderly people who know what life really is. Who know how to appreciate what God has given them. Who know not to sack virgin land. Who know how to take care of (inaudible) For fifty-five lots we are going to throw all of that away? We are ironically not talking construction, but for destruction. Destruction of people's homes, destruction of animals homes, destruction of natural landscaping, destruction of a treasure that has brought tourism to our town. So therefore that picture, (inaudible) don't let them in. Amen. Thank you.

Kevin .....21 Neil Drive, Newington: I think if you look at that picture and you talk about the traffic in the area, there is one thing that is blatantly missing, and that is pedestrian traffic. If you put sixty homes in that site, how many kids are going to be living at that site? And how many are going to be thirteen, fourteen, fifteen years old on Friday nights, going out...where are we going? McDonald's, Bowl-o-rama, okay, let's go down to Dunkin Donuts, and I think there should be crosswalks, there should be pedestrian routes, I mean, we talked about the vehicle traffic, you are going to have kids crossing Cedar Street, you are going to have kids walking up and down Cedar Street, and I've watched people coming off the Berlin Turnpike, heading down East Cedar Street, and I've seen adults near Cumberland Farms, obviously to the Siesta Motel, and they are crossing the traffic on Route 175. If you have kids that have bikes, or on foot, I think this is something that should be addressed. Thank you.

Harry Avery, 18 Deepwood Drive, Newington: Every time that I'm here, I walk away with thinking the Commission, the members they're for Toll Brothers. They aren't doing public service for us, they're Toll Brothers, it's obvious. I live right across the street, I can look out and see the observation, I've been up there to see my house from up there. The blasting at Balf, what's it going to do to my house when it's across the street. It's going to be bad. (Inaudible) Is there anybody here who would raise their hand and say, yes we want Toll Brothers to build on the mountain?

Audience: Not here.

Harry Avery, Not here, right. These people don't get that. I think what we have to do is (inaudible)

Allison Clarke, 25 Wilbur Drive, Newington: I have some concerns about the temporary cul-de-sac, reduced treatment, (inaudible) there is no real way for them to access, so why do we have cul-de-sacs. Is it for emergencies? If it is for emergencies, I don't see how vehicles are going to get up to the cul-de-sacs via Old Highway. If this is an emergency, then that means that we are going to give Toll Brothers the right to use the Old Highway and if it's for (inaudible) shouldn't the streets be wider to anticipate the through traffic. Section 3.6.18 states that residential access streets can be reduced to twenty-eight feet wide and Section 3.6.4, said that a residential street should carry minimal through traffic. I didn't see anything in the zoning subdivision regs about a temporary status, but if the road ended in a cul-de-sac and it was temporary, it shouldn't (inaudible) It should be wide enough when you are making provisions for a future road to (inaudible) the Marcap subdivision. I just want to make sure that Toll Brothers pays for all of the roadway improvements and (inaudible). Two more things, I'm not sure from the R-20 to get fifty, fifty-five homes and when you go to an R-20 with a 20,000 square foot minimum and a one hundred minimum frontage down to a 12,00 square foot lot, I'm not sure at the end of the day. For the open space commission, regarding the temporary cul-de-sac, please do not let them use the Old Highway in any way shape or form. (Inaudible) In closing, I just want to say, I appreciate your position, I wouldn't want to be sitting in your seat. I know that you have been listening to all of our comments. Thank you.

Val LaChance 37 Goodale Drive: I grew up on Cedar Ridge Road and went to the Elizabeth Green School, and I was exposed to the blasting from Balf Quarry, cracks in the ceiling from them and I know that they talked about controlled blasting, and it should be fine, but to me, there is an unhealthy environment about blasting (inaudible, Audience applause.) I hope that you take this into consideration the safety. Thank you.

Gail Bedreko, 21 Isabelle Terr: I wasn't going to talk tonight but I really feel compelled to address the traffic issue because I have to navigate East Cedar Street every day, and at all hours of the day it is dangerous as it is. We need to think the trip generation from all of the three parcels on this mountain. Balf, Hunter, plus Cedarcrest. One parcel has already been approved for a gas station, retail space, a hundred room hotel. My concern is that the traffic study for the Toll Brothers development focuses on this in isolation without full consideration of the traffic that will result from already approved from the hotel, gas station, a retail center. It is irresponsible to ignore the retail/hotel parcel. Any traffic (inaudible) can not be done based on current conditions. Traffic studies need to be done in concert with projected volumes and projected traffic patterns for the Hunter property. It is incumbent on the Town to have the projections done under the assumptions that the Hunter property is fully developed, fully operational, with a hundred room hotel that is very successful and filled every night. Anything less is negligent and irresponsible. Thank you.

Bernadette Conway, 177 Hartford Avenue: I too would like to thank the Commission for accommodating and being sensitive of the public tonight as usual, for making these accommodations. I just want to point out, I have a lot of concerns about the traffic and one of the things that I heard in their report was in their estimation that there were going to be 50 trips generated during rush hour in the morning and rush hour in the afternoon. I could be wrong, the acoustics aren't very good in here, and that doesn't make any sense to me. If sixty-four homes are being built, there are four bedrooms in each home, they are three, four hundred thousand dollar homes, I'm thinking at least one person in every home is going to have to work, I'm thinking it would be equal to two from each home, so their traffic reports are very questionable as far as I'm concerned and I just wanted to point that out. Thank you.

Chairman Pruet: Anyone else from the public:

Myra Cohen, 42 Jeffrey Lane: A member of the Town Council but speaking for myself. I'd like to discuss the size of the homes proposed for the project and the proposal for a 20,000 square foot lot, if I heard you correctly, if you had the 20,000 square foot home, you would have fifty-five to sixty-five lots. You're not talking about putting all of the homes in the same area, you are probably talking about moving the entire parcel east and west because otherwise how would you fit larger lots and have the same number of homes and the same area to build on. Another thing, is the Balf Quarry operation completely closed permanently or have they temporarily ceased operation because of the economy. Do we have the information that they are closed forever and will not be operating, so that there will be no official blasting at some (inaudible) living in that area. We have been told, over and over again that what is being cut will be reused on site, all materials that are used to prepare utilities, leveling areas, etc., will be used as fill. Now looking at that map, on the screen I guess they are going to fill pretty much all over the place. How many houses are going to be built on fill, and will the buyers of the homes be told in advance that the homes are built on fill? If we have a winter with a lot of snow will the snow when melted (inaudible) on everyone's lawn, where is the storm water to drain? The proposed mitigation area which we are told is three to four times the size of that 1700 square foot wetland that they have (inaudible) The design and the (inaudible) by Toll Brothers consultants in the area to remain as open space and donated to the town, will the town have oversight of this construction? And obviously, with more than 1700 square feet of wetlands that will be (inaudible). Will the water pressure be strong enough for the fire department if it is needed up in that area? Someone has already addressed the small cul-de-sacs, if those are temporary, and intended for extension as access to the trails as well as the road going along the property line, why are they not part of the permanent proposal rather than a temporary proposal? Who would be responsible at some time in the future for connecting the cul-de-sacs and the roads to the trails, and who would make that decision? Thank you.

Holly Harlow, speaking for Bernard Cohen: I am acquainted with a group of heavy highway construction engineers who told me that even with a cut/fill ratio, a balanced ratio is the optimum, what every project aims for. Professionals differ from that, but that is what they tell me. They also tell me that they don't see how (inaudible) from the rock, they are very skeptical about filling and using that material.

Chairman Pruet: Anyone else wishing to speak? Seeing none, the applicant has five minutes to rebut.

Tom Regan: Thank you Mr. Chairman. There were a bunch of comments made, clear cutting, trap rock, quarrying of trap rock, traffic, and again I want to bring this back to the purpose of the regulations of the open space subdivision. The open space subdivision is a vehicle that is used to allow a property to be better utilized in it's current form rather than a straight subdivision. One of the Commissioners said that we could develop this as an R-20 but the open space subdivision, the purpose of it is to preserve as much as possible. There is forty-four acres on this property that would be dedicated to the Town of Newington, that the Town of Newington doesn't own, and has no (inaudible). This is not public land, it's private property. The forty-four acres that is going to be dedicated to the Town of Newington is not going to be clear-cut. It's not going to be, there's no rock operation, it's property that is going to be left in pristine condition except for the conditions, which if this petition is approved will establish public access. So with that, I will turn this over to (inaudible)

BL Industries: Mr. Chairman, Members of the Commission, we've been hearing that we are going to clear cut the ridge. That is where the ridge is, then there is (inaudible) down the slope, then there is a wetland, then there is more woods, then there is another wetland, then

there are woods, then the development. So, we heard a lot of clear cutting the whole area, we heard (inaudible) we heard about all the big houses, we are an open space subdivision in the area that are showing on the plan. The other comments, the gentleman who spoke about, if the DOT needs the radius fixed or something, we are not just fixing radius, we asking the DOT for the lane capacity beyond the side street as well as adding a lane to 175, so it's not just fixing curbs. In terms of the traffic study, we heard comments about it's inaccurate because we don't have the Frisbee site in there, the Frisbee site is in there, that is true traffic volume. The project on the corner, the project that was approved, did not have anything superimposed for future use of the hospital, but one of the Commission members asked that question, we'll be happy to assume some type of office use but I do want to point out that the Town and the DOT approved these traffic studies with no projections from the hospital. The last thing, regarding the traffic trip generation. We just can't use the number of sixty-four homes, there's only fifty trips. Not everybody enters the road at a certain time that is required. If you look at a.m. from seven to nine, there will be some people leaving their home before seven and some after nine. That's how we just can't use simple math, we have to apply the trip generation rates that we are (inaudible) have to use (inaudible) by the DOT. Those are just some highlights of the comments that I heard.

Ray Gradwell: Thank you. A couple of the comments that I heard had to do with adequate water pressure at the site. There will be adequate water pressure on the site. We are proposing a pump station on the northeast corner of the site to provide adequate water pressure to the site. A couple of other questions in regard to storm water management and storm water detention, we designed these storm water detention ponds according to the Town of Newington's guidelines for storm water management and storm water detention. We also follow Connecticut DEP guidelines for design of storm water ponds. We follow the storm water quality manual for design of storm water (inaudible) There are all kinds of storm water tools as the design of, making sure that the water on the site is as (inaudible) as we possibly can. We will have fences around the ponds, make sure they are safe, we will provide pedestrian access along the roads, and public parking at the end of the cul-de-sacs for public use to get to the trail network, dedicated to the Town of Newington. I think that is all I have in response to the comments and questions.

Ulrich LaFosse: Good evening Ulrich LaFosse, I will answer any questions as to the blasting. The first one asked was about the controlled blasting for the foundations versus (inaudible) All blasting will be controlled whether it is for the rock being removed or the foundations. Another question was asked about checking the cracks, that would be the pre-construction survey, (inaudible) The other question regarding (inaudible) the vibrations and well as the structural issue of the blast precludes structure (inaudible) Last, test blasting, a lady was concerned that the test blast and the results (inaudible.) I think I mentioned before that the best blasts are done in an area that is far from the neighboring (inaudible.) It's done (inaudible.)

Chairman Pruet: We have five minutes for rebuttal from the opposition. Anybody want to come forward?

Bernard Cohen, 17 Deepwood Drive: Hello, we kept saying, (inaudible.) We need changes and now after all that talk, they are going to make changes.

Rick Spring 77 Deepwood Drive: (Inaudible) My question is, without trees, I'm not sure and as far as blasting is concerned, I (inaudible).

Holly Harlow: I just have one question actually, I was talking to somebody regarding the improvements that the MDC will have to make to get significant water pressure up on the



mountain, now who would be paying for that, is that absorbed by Toll Brothers or is that going to be part of every MDC user in the Metropolitan Water District between Newington, Wethersfield, Newington, Rocky Hill, whatever. Thank you.

Unknown: What exactly are we going to see from, for arguments sake, from Main Street? What impact is this going to have when we look at the hill, what are we going to see, other than (inaudible). Are we going to see (inaudible), are we going to see structures or are we going to see what we see now.

Chairman Pruet: Anyone else?

Michael Fox: 1901 Main Street: It was mentioned that number one, this is private property and I agree, but I look out here and see Bernadette, I see Sue Ginn, I see an awful lot of people who grew up in this town, I'm not included, but my kids are, and all they have is memories of hiking on Cedar Mountain. I never heard of any problems with the Marcap property. (Inaudible)

Chairman Pruet: I believe due to the fact that there are many concerns we are going to keep this Petition open, the consensus is that there are some unfinished comments, so the petition will remain open.

III. **PUBLIC PARTICIPATION** (relative to items not listed on the Agenda-each speaker limited to two minutes.)

None.

IV. **MINUTES**

July 27, 2011 – Regular Meeting

Commissioner Anest moved to accept the minutes of the July 27, 2011 Regular Meeting. The motion was seconded by Commissioner Schatz. The vote was unanimously in favor of the motion, with seven voting YES.

V. **COMMUNICATIONS AND REPORTS**

None

VI. **NEW BUSINESS**

None

VII. **OLD BUSINESS**

**Petition 23-11**  
**388 Stamm Road**  
**Rizzo Pool Sign**

Commissioner Aieta moved that Petition 23-11 – 388 Stamm Road, Rizzo Albert, Jr. Family LP owner, Artex Signs 27 Britton Drive Bloomfield, CT 06002 applicant, attention Anita Gold, request for Special Exception Ground Sign Section 6.2.4 Industrial Zone District be approved, the Commission finding that the design for a non-illuminated monument dated 6/15/11 complies with the Zoning Regulation standards.

Prior to the issuance of zoning and building permits, the location of sign on private property shall be verified and placement within a curbed landscaped area shown on the plot plan.

Commissioner Hall: Not really discussion but I think it should be Albert Rizzo, Jr. Family and the gentlemen corrected us the first time, it's Artifax Sign.

The motion was seconded by Commissioner Anest. The vote was unanimously in favor of the motion, with seven voting YES.

**Petition 26-11**

Commissioner Schatz moved that Petition 26-11 – 2011 Waterfall Festival Event – Constitution Square Municipal Parking Lot, September 23 and 24 (rain date 10-1 and 10-2-2011,) request for Special Exception Section 3.2.8, B-BT Zone District be approved including the operation of carnival rides on Friday evening, 5:00 p.m. to 9:00 p.m. based on the layout plan shown to the Commission August 10, 2011.

As required by Town Ordinance Section 14-2, the Town Managers office shall be provided with a Certificate of Insurance prior to the opening of this event to the public.

The motion was seconded by Commissioner Hall. The vote was unanimously in favor of the motion, with seven voting YES.

**VIII. PETITIONS FOR SCHEDULING** (TPZ August 24, 2011 and September 14, 2011).

- A. PETITION 25-11 – 1095 Main Street, New Center Corp. 1095 Main Street owner, Farmington Bank applicant represented by Dale Bertoldi, Tecton Architects, Inc. One Hartford Square West, Hartford, CT 06106, bank use with drive-up window-service B-TC Zone District request for Site Plan Development and Section 3.12A Town Center Village Overlay District. Schedule for presentation August 24, 2011.
- B. PETITION 27-11 – Hayes Kaufman Newington Associates, LLC applicant, represented by Attorney Mark S. Shipman 20 Batterson Park Road, Farmington, CT 06032 request for Zoning Regulations amendment Section 3.11.7 to permit by Special Exception approval "Fueling Station." Schedule for public hearing September 14, 2011.
- C. Balf Company Quarry 2011 Site Plan Update and 2011 to 2013 Statement of Operations. Schedule for presentation September 14, 2011.

Ed Meehan: We have a couple of petitions waiting in line. We have the bank, proposed Farmington Savings Bank, does not require a public hearing. That was scheduled for the 24<sup>th</sup>. Do you want to go forward with the Farmington Bank petition on the 24<sup>th</sup>? Okay, and then the next one, Petition 27-11, that's for a zone amendment. This has to be referred to the regional planning agencies so the earliest that you can do this is September 14<sup>th</sup>. If we don't hear from the regional planning agencies that would have to be pushed out to the 28<sup>th</sup>, so I'll keep you abreast of where we are on that, and the last item is the Balf plan.

Chairman Pruet: Before I open this up, I just want to say for the record that I have to reject the speakers comments again that they seem to think that we are employed by Toll Brothers, that we are not associated with that. I think all of the Commissioners appreciate that this is not the case, and I just wanted to say that for the record.

**IX. REMARKS BY COMMISSIONERS**

Commissioner Hall: The only thing I want to say is that people forget that we are here for a business meeting, and when their interests are over, in other words what Toll Brothers presented, so if you could mention that to them, if they want to leave, fine, but if they would do it quietly so we can continue with our business meeting. That is why we are here, not just for Toll Brothers but for all the business.

Commissioner Anest: Ed, is there any way you can bring us up to date, give us a brief update on the Conservation Commission?

Ed Meehan: The Newington Conservation Commission/Wetland Agency has one more hearing on the two Toll Brothers projects and that would be August 16<sup>th</sup>, and after that they will close the hearing. They have thirty-five days to vote, and to render a report to your Commission. So you should have a report by the end of September.

**X. STAFF REPORT**

None

**XI. PUBLIC PARTICIPATION**

(For items not listed on agenda)

None

**XII. CLOSING REMARKS BY CHAIRMAN**

Chairman Pruet: Thanks to all the Commissioners for tonight. It was warm, sticky, and very difficult, but to accommodate the numbers here, I opted to have the meeting held here, I thank you very much.

**XIII. ADJOURNMENT**

Commissioner Hall moved to adjourn the meeting. The motion was seconded by Commissioner Anest. The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary

